

NOV. 28. 2005 4:53PM
TO: USPTO

ZILKA-KOTAB, PC

NO. 1092 P. 1

ZILKA-KOTAB

PC
ZILKA, KOTAB & FEECE™

95 SOUTH MARKET ST., SUITE 420
SAN JOSE, CA 95113

TELEPHONE (408) 971-2573
FAX (408) 971-4660

RECEIVED
CENTRAL FAX CENTER

NOV 28 2005

FAX COVER SHEET

Date: November 28, 2005	Phone Number	Fax Number
To: Examiner Henning		(571) 273-8300
From: Kevin J. Zilka		

Docket No.: NAI1P462/01.059.01

App. No: 09/912,391

Total Number of Pages Being Transmitted, Including Cover Sheet: 19

Message:

Please deliver to Examiner Henning.

Thank you,

Kevin J. Zilka

☒ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER
ANY OTHER DIFFICULTY, PLEASE PHONE Erica
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

November 28, 2005

BEST AVAILABLE COPY

Practitioner's Docket No. NAI1P462/01.059.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Neil J. Hursey et al.

Application No.: 09/912,391

Group No.: 2131

Filed: July 26, 2001

Examiner: Henning, M.

For: DETECTING E-MAIL PROPAGATED MALWARE

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:

- i. Prior to abandonment of the application

ENCLOSURES

3. Enclosed herewith is:

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

— deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

— with sufficient postage as first class mail.

37 C.F.R. § 1.10*

— as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: 11/28/2005

Signature

Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing (• 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under • 1.8 continues to be taken into account in determining timeliness. See • 1.703(f). Consider "Express Mail Post Office to Addressee" (• 1.10) or facsimile transmission (• 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Request for Continued Examination (RCE) (37 C.F.R. § 1.114)—page 1 of 3

09912391

11/29/2005 HGUEM01 00000020 501351

790.00 DA
1020.00 DA01 FC:1801
02 FC:1253

An amendment

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of other than small entity.

Continued Prosecution Request Fee: 790.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	
TOTAL	21	-	24	= 0 x \$ 50.00	= \$	0.00
INDEP.	3	-	3	= 0 x \$ 200.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 360.00	= \$	0.00
TOTAL ADDIT. FEE					\$	0.00

No additional fee for claims is required.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for three months:

Fee: \$1,020.00

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$790.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$0.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$1,020.00

Request for Continued Examination (RCE) (37 C.F.R. § 1.114)—page 2 of 3

Total Fee(s) Due:

\$1,810.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Charge Account 50-1351 (Order No. NAI1P462) the sum of \$1,810.00.

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 50-1351 (Order No. NAI1P462).

INVENTORSHIP

9. This application as amended names as inventors the same inventors as previously designated for the claims.



Signature of Practitioner
Kevin J. Zilka
Zilka-Kotab, PC
P.O. Box 721120
San Jose, CA 95172-1120
USA

Reg. No.: 41,429
Tel. No.: 408-971-2573
Customer No.: 28875

Request for Continued Examination (RCE) (37 C.F.R. § 1.114)---page 3 of 3